

FILED IN THE
U.S. DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

Dec 21, 2020

SEAN F. McAVOY, CLERK

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

COLTON J. GREEN,

Plaintiff,

v.

No. 4:20-CV-05183-SAB

ORDER OF DISMISSAL

WASHINGTON STATE DEPARTMENT
OF CORRECTIONS, LARRY W.
CEIGER, DANIELLE PURCELL,
FRANKLIN COUNTY CORRECTION
CENTER, SHERIFF JIM RAYMOND,
COMMANDER STEPHEN
SULTEMEIER, CAPTAIN ADAM DIAZ,
and LIEUTENANT JEREMEY JANSKY,

Defendants.

Plaintiff filed this *pro se* civil rights complaint on October 7, 2020, while a prisoner at the Franklin County Corrections Center, ECF No. 1. He did not pay the \$400.00 fee (\$350.00 filing fee, plus \$50.00 administrative fee) to commence this action as required by 28 U.S.C. § 1914 or seek leave to proceed *in forma pauperis*.

Mail addressed to Plaintiff at the last address he provided was returned as undeliverable on October 19, 2020. ECF No. 3. On November 13, 2020, the Court

1 directed Plaintiff to comply with the filing fee and *in forma pauperis* requirements
2 necessary to commence this action. ECF No. 4. Again, mail addressed to Plaintiff
3 at the last address he provided was returned as undeliverable on November 23,
4 2020. ECF No. 5. Plaintiff has not kept the Court apprised of his current address.

5 The Court may dismiss an action if mail directed to a *pro se* plaintiff has
6 been returned by the Postal Service and the plaintiff fails to notify the Court and
7 opposing parties within sixty days thereafter of his current mailing address. LCivR
8 41(b)(2), Local Civil Rules for the Eastern District of Washington. The Court has
9 an interest in managing its docket and in the prompt resolution of civil matters. *See*
10 *Destfino v. Reiswig*, 630 F.3d 952, 959 (9th Cir. 2011) (affirming district court's
11 inherent power to control its docket); *see also Pagtalunan v. Galaza*, 291 F.3d 639,
12 642-44 (9th Cir. 2002) (discussing factors to consider in dismissing claim for
13 failure to prosecute or failure to comply with court order, including the public's
14 interest in expeditious resolution, the court's need to manage docket, and the risk
15 of prejudice to defendants).

16 Accordingly, **IT IS HEREBY ORDERED:**

17 1. This action is **DISMISSED WITHOUT PREJUDICE** pursuant to
18 LCivR 41(b)(2).

19 2. The Clerk's Office is directed to **ENTER JUDGMENT** and **CLOSE** this
20 file.

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1 3. The Court certifies pursuant to 28 U.S.C. § 1915(a)(3) that an appeal of
2 this Order could not be taken in good faith and would lack an arguable basis in law
3 or fact.

4 **IT IS SO ORDERED.** The Clerk's Office is directed to enter this Order,
5 enter judgment, close the file, and forward a copy to Plaintiff at his last known
6 address.

7 **DATED** this 21st day of December 2020.



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A handwritten signature in blue ink, reading "Stanley A. Bastian", is written over a horizontal line.

13 Stanley A. Bastian
14 Chief United States District Judge
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